WPMS No. 216 of 2006

Hon. B.S.Verma, J.

Heard Sri P.C. Jhingan, learned Counsel for the petitioner and Sri Anil Dabral, holding brief of Sri D.S.Patni, learned counsel for the respondent nos. 1 and 2 as well as learned Standing Counsel for the State.

The petitioner has challenged impugned order dated 14.12.2005 passed by the Collector Tehri Garhwal in Appeal No. 1 of 2005, Soban Singh Vs. Executive Engineer, Jal Nigam, Chamba.

From a perusal of the impugned order it reveals that the appeal of the petitioner was dismissed in default for non prosecution by the Collector Tehri, which is ex-prate order.

The petitioner is given liberty to file the restoration/recall application before the Collector Tehri.

With this observation, the writ petition is dismissed in-limine.

09-03-2006 **(B.S. Verma, J.)**

RCP